

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

TANIELLE SHURNEY,

Plaintiff,

vs.

No. CA 05-196 Erie

**SCOTT'S ECONO INN, INC.
SCOTT'S SPLASH LAGOON, INC.**

**SEAN PIERCE, INDIVIDUALLY AND
IN
HIS CAPACITY AS A TROOPER OF
THE PENNSYLVANIA STATE POLICE**

**JOHN DOE, INDIVIDUALLY AND IN
HIS CAPACITY AS THE SUPERVISOR
OF TROOPER SEAN PIERCE OF THE
PENNSYLVANIA STATE POLICE**

Defendants

**DEFENDANT SCOTT'S SPLASH
LAGOON, INC.'S ANSWER AND
AFFIRMATIVE DEFENSES TO
PLAINTIFF'S AMENDED
COMPLAINT**

Filed on behalf of Scott's Splash Lagoon,
Inc.

Counsel of Record for these parties:

Gary D. Bax, Esq.

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Erie, Pennsylvania 16501
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PA38520

JURY TRIAL DEMANDED

**DEFENDANT SCOTT'S SPLASH LAGOON, INC.'S ANSWER
AND AFFIRMATIVE DEFENSES TO PLAINTIFF'S AMENDED COMPLAINT**

NOW COMES the Defendant, Scott's Splash Lagoon, Inc., by and through its attorneys, Murphy Taylor, L.L.C., and denies all liability to Plaintiff as stated in her original and Amended Complaints, and in support thereof states the following:

1. Defendant Scott's Splash Lagoon, Inc., hereby incorporates by reference as if set forth in full all of its prior Answer and Affirmative Defenses.

2. Defendant Scott's Splash Lagoon, Inc. further raises the additional defense of its privilege to report the conduct of Plaintiff Tanielle Shurney to the Pennsylvania State Police.

WHEREFORE, Defendant Scott's Splash Lagoon, Inc., demands judgment in its favor and against the Plaintiff with costs, attorneys' fees, and such other relief that the Court deems appropriate.

JURY TRIAL DEMANDED

DATE: September 20, 2005

Respectfully submitted,

MURPHY TAYLOR, L.L.C.

By: "s/"Gary D. Bax, Esq.
Gary D. Bax, Esq.
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Attorneys for Scott's Splash Lagoon, Inc.

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Defendants

CERTIFICATE OF SERVICE

Filed on behalf of Scott's Splash Lagoon,
Inc.

Counsel of Record for these parties:

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JURY TRIAL DEMANDED

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Defendant Scott's Splash Lagoon, Inc.'s Answer with Affirmative Defenses was electronically served upon all counsel of record, this 20th day of September, 2005:

Respectfully submitted,

MURPHY TAYLOR, L.L.C.

By: "s/" Gary D. Bax, Esq.

Gary D. Bax, Esq.

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Attorneys for Scott's Splash Lagoon, Inc.